

City Council  
Atlanta, Georgia

**08- 0 -2125**

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-08-73  
Date Filed: 9-17-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1146 Portland Street, S.E., 1152 Portland Street, S.E. 1131 Glenwood Avenue, S.E., 1137 Glenwood Avenue, S.E., 525/527 Moreland Avenue, S.E. 529 Moreland Avenue, S.E., 535 Moreland Avenue, S.E. and 537 Moreland Avenue, S.E.**, be changed from the R-4 (Single Family Residential) District and NC-2 (Neighborhood Commercial) District to the NC-2 (Neighborhood Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 12, 14<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**LEGAL DESCRIPTIONS/CURRENT LAND USE AND ZONING BY PARCEL:**

1146 Portland Street	landuse: single family	zoning: R-4
1152 Portland Street	landuse: single family	zoning: R-4
1131 Glenwood Avenue	landuse: single family	zoning: R-4
1137 Glenwood Avenue	landuse: single family	zoning: R-4
525/527 Moreland Avenue	landuse: low density commercial	zoning: NC-2
529 Moreland Avenue	landuse: low density commercial	zoning: NC-2
535 Moreland Avenue	landuse: low density commercial	zoning: NC-2
537 Moreland Avenue	landuse: low density commercial	zoning: NC-2



**LEGAL DESCRIPTION; TRACTS 1 THROUGH 8; BASED ON SURVEY BY VALENTINO**

All that tract or parcel of land lying and being in Land Lot 12 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated as Tracts 1 through 7 on a plat of survey prepared by Valentino and Associates, Inc., (Job #28019; Drawing/File #28019), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2"iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue (AKA US. HWY #23/S.R. #42; apparent 70' r/w) and the northerly right-of-way line of Portland Avenue (50' r/w).

THENCE proceeding along said northerly right-of-way line of Portland Avenue the following courses and distances:

North 89 degrees 38 minutes 55 seconds West for a distance of 150.14 feet to a 1"crimp-top pipe found;

THENCE North 89 degrees 51 minutes 49 seconds West for a distance of 49.77 feet to a 1/2"open-top pipe found;

THENCE North 89 degrees 43 minutes 19 seconds West for a distance of 50.19 feet to a nail found;

THENCE departing said northerly right-of-way line of Portland Avenue North 00 degrees 25 minutes 12 seconds East for a distance of 150.07 feet to a 1/2"iron pin set;

THENCE North 00 degrees 25 minutes 12 seconds East for a distance of 160.04 feet to a 3/8"iron pin found on the southerly right-of-way line of Glenwood Avenue (50' r/w);

THENCE proceeding along said southerly right-of-way line of Glenwood Avenue South 87 degrees 19 minutes 32 seconds East for a distance of 49.80 feet to a 3/4"open-top pipe found;

THENCE departing said southerly right-of-way line of Glenwood Avenue South 00 degrees 20 minutes 49 seconds West for a distance of 157.77 feet to a 1"crimp-top pipe found;

THENCE South 89 degrees 51 minutes 11 seconds East for a distance of 49.95 feet to a 1/2"iron pin found;

THENCE North 00 degrees 36 minutes 44 seconds East for a distance of 49.94 feet to a disturbed 1"crimp-top pipe found;

THENCE North 00 degrees 13 minutes 09 seconds East for a distance of 105.85 feet to a 1"open-top pipe found on the southerly right-of-way line of Glenwood Avenue;

THENCE proceeding along said southerly right-of-way line of Glenwood Avenue South 87 degrees 24 minutes 59 seconds East for a distance of 150.20 feet to a 1/2"iron pin set at the intersection of said southerly right-of-way line of Glenwood Avenue and the westerly right-of-way line of Moreland Avenue;

THENCE proceeding along said westerly right-of-way line of Moreland Avenue the following courses and distances:

South 00 degrees 17 minutes 29 seconds West for a distance of 100.00 feet to a 1" crimp-top pipe found;

THENCE South 00 degrees 22 minutes 32 seconds West for a distance of 99.73 feet to a 1" open-top pipe found;

THENCE South 00 degrees 27 minutes 50 seconds West for a distance of 50.43 feet to a 1" open-top pipe found;

THENCE South 00 degrees 22 minutes 45 seconds West for a distance of 50.03 feet to a 1/2" iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue and the northerly right-of-way line of Portland Avenue, said 1/2" iron pin found being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 1.571 acres or 68,428 square feet, and is intended to be the same tracts of land that were previously conveyed in Deed Book 40880, Page 398, Deed Book 45493, Page 23, Deed Book 13393, Page 279, and Deed Book 46030, Page 509, (combined) Fulton County Georgia Records.

#### TOGETHER WITH:

All that tract or parcel of land lying and being in Land Lot 12 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino and Associates, Inc., [Job #28019; Drawing/File #28019(Tract 8)], bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described as follows:

BEGINNING at a 1/2" iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue (AKA US. HWY #23/S.R. #42; apparent 70' r/w) and the northerly right-of-way line of Glenwood Avenue (50' r/w).

THENCE proceeding along said northerly right-of-way line of Glenwood Avenue North 87 degrees 33 minutes 00 seconds West for a distance of 145.46 feet to a 1/2" iron pin set;

THENCE departing said northerly right-of-way line of Glenwood Avenue North 00 degrees 23 minutes 37 seconds East for a distance of 89.36 feet to a 1/2" iron pin set;

THENCE South 89 degrees 02 minutes 40 seconds East for a distance of 146.09 feet to a 1/2" iron pin found inside an open-top pipe, located on the westerly right-of-way line of Moreland Avenue;

THENCE proceeding along said westerly right-of-way line of Moreland Avenue South 00 degrees 50 minutes 15 seconds West for a distance of 93.15 feet to a 1/2" iron pin found at the intersection of the westerly right-of-way line of Moreland Avenue and the northerly right-of-way line of Glenwood Avenue, said 1/2" iron pin found being the POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said tract or parcel of land contains 0.305 acres or 13,299 square feet, and is intended to be the same tract of land that was previously conveyed in Deed Book 29225, Page 550, Fulton County Georgia Records.